

## Message Text

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ACTION ARA-14

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01  
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15  
ICA-11 VO-05 FBIE-00 INSE-00 HA-05 TRSE-00 /091 W  
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FM AMEMBASSY SANTIAGO  
TO SECSTATE WASHDC PRIORITY 8769  
INFO USMISSION USUN NEW YORK PRIORITY  
USMISSION GENEVA PRIORITY

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E.O. 11652: N/A  
TAGS: SHUM, CI  
SUBJECT: MORE CHILEAN PRISONER RELEASES

REFS: (A) SANTIAGO 2197 (NOTAL), (B) SANTIAGO 2181

1. PRESIDENT PINOCHET, DURING AN INFORMAL SESSION APRIL 3 WITH THE INTERNATIONAL PRESS ACCREDITED IN SANTIAGO, SAID THAT THE GOVERNMENT IS STUDYING AN AMNESTY FOR ALL THOSE CONVICTED BY MILITARY COURTS. (THE FORMAL ANNOUNCEMENT MAY BE PART OF PINOCHET'S FORTHCOMING SPEECH.) HE ALSO ANNOUNCED THAT THE SENTENCES OF ERNESTO GALAZ AND RAUL VERGARA HAVE BEEN COMMUTED TO EXILE AND THAT THEY WILL BE LEAVING FOR EUROPE SOON.

2. GALAZ AND VERGARA, TOGETHER WITH ALREADY FREED CARLOS LAZO AND ERIC SCHNAKE, MADE UP THE FOUR PERSONS CONVICTED DURING THE 1974 AIR FORCE TRIALS WHOSE DECREE LAW 504 COMMUTATIONS HAD BEEN "DEFERRED" RATHER THAN APPROVED OR REJECTED. THUS THE GOC HAS RELEASED ALL THE HIGH VISIBILITY PRISONERS HELD FOR POLITICAL CRIMES.

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3. PER REF B, RUMORS OF A MASS PRISONER RELEASE HAD BEEN ABOUT FOR THE LAST FEW WEEKS. IN A CONVERSATION WITH LOCAL ICEM REPRESENTATIVE, ROBERTO KOZAK, EMBOFFS LEARNED THAT MINISTER OF JUSTICE MONICA MARARIAGA HAD TAKEN THE LEAD WITHIN THE GOC TO RESUSCITATE THE ICEM PLAN FLOATED IN OCTOBER-NOVEMBER, 1977. DEPARTMENT WILL RECALL THAT THE ESSENCE OF THIS PROPOSAL WAS THAT THE GOC WOULD REVERSE ITS PRE-

VIOUS REJECTIONS OF DL 504 COMMUTATIONS FOR ALL (70 PLUS) PRISONERS CONVICTED BY MILITARY COURTS (INCLUDING THE PRE-COUP VALP NAVY TRIAL 8) WHO HAD RESETTLEMENT OFFERS FROM OTHER COUNTRIES. IN RETURN ICEM WOULD PUBLICLY EXPRESS ITS APPRECIATION TO THE GOC FOR ITS FORTHCOMING DECISION AND ITS COOPERATION. EXISTING GOC/ICEM AGREEMENTS WOULD CONTINUE IN EFFECT, THUS MAKING FUTURE DL 504 COMMUTATIONS ALMOST AUTOMATIC FOR THOSE CONVICTED BY MILITARY COURTS FOR POLITICAL CRIMES IN THE FUTURE. ABOUT 120 PERSONS ARE NOW IMPRISONED AWAITING TRIAL OR SENTENCING.

4. THE ICEM PROPOSAL DOES NOT DIRECTLY AFFECT THE MORE THAN 100 PERSONS SERVING SENTENCES OR RUSTIFICATION (INTERNAL BANISHMENT). KOZAK SAYS THAT FOREIGN GOVERNMENTS DO NOT CONSIDER THESE PEOPLE TO BE "IMPRISONED" AND THERE IS LITTLE FOREIGN INTEREST IN EXTENDING THEM VISAS. IT MAY BE THAT PINOCHET IS ALSO CONSIDERING AN AMNESTY FOR THIS GROUP AS WELL.

5. COMMENT: IF, AS NOW SEEMS LIKELY, PINOCHET GOES FORWARD WITH A MASS RELEASE OF REMAINING CONVICTS, THE POLITICAL PRISONER ISSUE WILL BE VIRTUALLY RESOLVED. THE IMMEDIATE BENEFICIARIES WILL BE THE 70 OR SO NOW IMPRISONED WHO WILL BE ABLE TO LEAVE THE COUNTRY (IT IS UNLIKELY THAT ANY OF THEM WILL CHOOSE TO STAY). AN AMNESTY FOR THOSE RUSTICATED WOULD CLEAR THE DECKS ON THAT SCORE. THIS LIMITED OFFICIAL USE

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WOULD LEAVE ONLY THOSE DETAINED WHILE IN-TRIAL PROCESS WITH THE PRESUMPTION THAT THEY, TOO, WOULD RECEIVE COMMUTATIONS IF CONVICTED. IT SEEMS LIKELY THAT PRESSURES TO MOVE THESE CASES PROMPTLY THROUGH THE MILITARY JUSTICE WOULD INCREASE.  
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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Copy:** SINGLE  
**Draft Date:** 04 apr 1978  
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**Decaption Note:**  
**Disposition Action:** RELEASED  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
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**Subject:** MORE CHILEAN PRISONER RELEASES  
**TAGS:** SHUM, CI  
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